

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

SECURITIES AND EXCHANGE )  
COMMISSION, )

Plaintiff, )

v. )

AUBREY LEE PRICE *et al.*, )

Defendants. )  
\_\_\_\_\_)

CASE NO. 1:12-CV-2296-TCB

**RECEIVER’S MOTION TO EXCEED THE PAGE LIMIT TO FILE HER  
OMNIBUS MEMORANDUM IN OPPOSITION TO THE LIFE  
INSURANCE COMPANIES’ MOTIONS**

Melanie E. Damian, in her capacity as the Receiver for the Assets of Aubrey Lee Price, and for PFG, LLC, Montgomery Asset Management, LLC, f/k/a PFG Asset Management, LLC (Florida limited liability company), Montgomery Asset Management, LLC f/k/a PFG Asset Management, LLC (Georgia limited liability company) and PFGBI, LLC (the “Receiver”) hereby files her Motion to Exceed the Page Limit to File Her Omnibus Memorandum in Opposition to the Life Insurance Motions and states as follows:

1. Three life insurance companies, Genworth Life Insurance Company, Protective Life Insurance Company and Household Life Insurance Company (each an “Insurer” and collectively the “Insurers”) filed their own motion for leave to sue

the Receiver, to intervene in this action and to stay the (as yet unapproved) distribution plan proposed by the Receiver (collectively the “Motions to Intervene”).

2. Each of the Motions to Intervene involve nearly identical questions of law and fact and the Receiver believes that all of the legal arguments apply equally to all of the Insurers. Therefore, in the interest of economy, the Receiver drafted a single omnibus memorandum, responding to each of the Motions to Intervene.

3. Under the Local Rules, the page limit for a memorandum of law in response to a single motion is ordinarily twenty-five (25) pages. Local Rule 7.1(D). The omnibus memorandum responding to all three of the Motions to Intervene, attached hereto as Exhibit “A”, is thirty-three pages. Therefore, the Receiver hereby requests permission to exceed the page limit set forth in Local Rule 7.1(D) by eight pages.

4. The undersigned has conferred with counsel for each Insurer and each has indicated that he does not object to the relief sought herein.

5. Alternatively, in the event the aforementioned relief is denied, the Receiver hereby seeks an additional two days from the entry of the Court’s order on this motion within which to file each of her responses to the Insurers’ Motions to Intervene.

6. This motion is not filed for the purposes of delay or for any other improper purpose.

WHEREFORE, Melanie E. Damian, in her capacity as the Receiver for the Assets of Aubrey Lee Price, and for PFG, LLC, Montgomery Asset Management, LLC, f/k/a PFG Asset Management, LLC (Florida limited liability company), Montgomery Asset Management, LLC f/k/a PFG Asset Management, LLC (Georgia limited liability company) and PFGBI, LLC, respectfully requests that the Court (i) enter the attached proposed order allowing the Receiver to exceed the page limit to file her Omnibus Memorandum in Opposition to the Life Insurance Motions, and (ii) grant such further relief that this Court deems to be appropriate and just.

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/s/ Kenneth Dante Murena  
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*Admitted Pro Hac Vice*

**LOCAL RULE 7.1D CERTIFICATION**

By signature below, counsel certifies that the foregoing document was prepared in Times New Roman, 14-point font in compliance with Local Rule 5.1B.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY on this day I electronically filed with the Clerk of Court **Receiver's Motion to Exceed the Page Limit to File Her Omnibus Memorandum in Opposition to the Life Insurance Motions** using the CM/ECF system, this 18<sup>th</sup> day of February, 2014, upon all counsel of record and to all parties listed on the Service List below.

/s/ Kenneth Dante Murena  
Kenneth Dante Murena, P.A.  
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